



W.P(MD)No.24498 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24498 of 2023

and

W.M.P(MD)No.20685 of 2023

S.Nallusamy

... Petitioner

Vs.

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai – 600 028.

2.The District Registrar,
Office of the District Registrar,
Collectorate,
Karur District.

3.The Sub Registrar,
Office of the Sub Registrar,
Mela-Karur,
Karur District.

4.M.Ponnusamy

... Respondents



W.P(MD)No.24498 of 2023

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 2 and 3 for not to register any sale or encumbrance related to the property in Survey No.507/1, Athoor Village, Manmangalam Taluk, Periyavadugapatti, Karur District till the disposal of original suit in O.S.No.179 of 2023 pending before the Hon'ble Principal District Munsif Court, Karur, consequently direct the respondents 2 and 3 to initiate enquiry on the basis of the petitioner's representation dated 12.09.2023 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.M.Prakash
Additional Government Pleader
for R.1 to R.3

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents.

2. The petitioner's writ prayer is more in the nature of interim relief. Such prayer is not maintainable in view of the decision reported in ***AIR 1952 SC 12 (State of Orissa Vs Madan Gopal Rungta)***. The



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petitioner admittedly filed O.S.No.179 of 2023 before the Principal District Munsif Court, Karur. The petitioner has to get interim relief only in the said suit. He can make the Sub Registrar as party in the interim application alone.

3. Granting liberty to the petitioner to pursue his remedy in the pending civil suit, this writ petition is dismissed. I make it clear that I have not gone into the merits of the matter. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

10.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

MGA

To

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
100, Santhome High Road,
Pattinapakkam,
Chennai – 600 028.

2.The District Registrar,
Office of the District Registrar,
Collectorate, Karur District.

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G.R.SWAMINATHAN, J.

MGA

3.The Sub Registrar,
Office of the Sub Registrar,
Mela-Karur,
Karur District.

Copy to :

The Principal District Munsif Court,
Karur.

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and
W.M.P(MD)No.20685 of 2023

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